

The Honorable Lisa Jackson  
Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Ariel Rios South Building  
Washington, DC 20460

Re: Request for Initiation of Clean Water Act Section 404(c) in area near Bristol Bay,  
AK

Dear Administrator Jackson,

As representatives of over 6,000 commercial fisherman and crew working in Bristol Bay, Alaska, we are writing to reiterate our earlier request that EPA initiate the CWA 404(c) process to protect the watersheds of Bristol Bay from unacceptable adverse impacts of large scale mining in this particular region. We recognize the importance and precedential nature of our request, and do not ask this lightly. Our very livelihoods are at stake as is 40% of the nations salmon supply.

Given the enormity of the inevitable impacts from potential large scale mining in this watershed, we have sought to work with our state government to protect the Bristol Bay watersheds. Until the issue is resolved, the salmon industry here, and to a lesser extent elsewhere in Alaska, must operate under a cloud of uncertainty. Seafood processors have concerns about continuing their investments and consumers worry about the quality and abundance of future seafood supplies from the region. The CWA 404(c) process offers a unique opportunity to assess data that may lead to clearing the air and providing the type of certainty required to continue the growth of our businesses; the economic mainstay of the region.

As the largest employer in the region, the seafood industry has always sought to work positively with our local and state government. Our industry was not invited to participate in the process associated with development of the Bristol Bay Area Plan. Governor Parnell has repudiated all attempts made to increase the standards of protection for the fisheries resources in the region. We believe initiating CWA 404 (c) will allow for meaningful public dialogue with all stakeholders. The CWA 404 (c) process will provide certainty for both our commercial fishing industry and for the mining industry by clearly stating what kinds of activities will or will not be allowed in the Bristol Bay headwaters.

Three categories of information are essential to the question of whether a disposal site will have unacceptable adverse effects. These categories are: size, type, and location.

- The size of the mineral deposit is known and has been presented numerous times by the Pebble Partnership as one of the geographically largest and most diffuse deposits in the world.

- The type of ore body is a porphyry sulfide deposit. Other deposits of this type that have been mined consistently result in acid mine drainage, water contamination, and ecosystem degradation.
- The location of the deposit is at the headwaters of the most prolific and most studied wild salmon ecosystems on the planet.

These three variables define the mine and dictate most of the impacts. The fact is that the location of this deposit is at the headwaters of the most prolific and most studied wild salmon ecosystems on the planet. No matter how a potential Pebble mine is designed, the size, type, and location of the ore remain known and the appurtenant risks are unacceptable.

There are those who say that the State of Alaska has not seen designs for Pebble Mine and that any EPA action to initiate the CWA 404(c) is premature. This is false. In 2006, Alaska's Department of Natural Resources received water rights applications accompanied by 2,000 pages of detailed mining plans and associated facility designs for Pebble Mine. We are petitioning EPA to initiate CWA 404(c) because the State has stymied the public process for Alaskans. There have been few, if any, opportunities for comment or hearings addressing whether or not to develop a mining district in Bristol Bay.

Rather than "wait and see" and "let the large mine permitting process run its course", we believe that the only opportunity for meaningful public comment and involvement at this time lie with the EPA. The Clean Water Act provides a proactive, nonpartisan approach to the questions of what activities should and should not be allowed in the Nation's largest and most productive wild salmon stronghold. We urge you to exercise the authority that Congress tasked you with, to protect our Nation's waters. We welcome the opportunity to further discuss our concerns with you.

Thank you for your concern and consideration of our request.

Sincerely,



Bob Waldrop,  
Executive Director,  
Bristol Bay Regional Seafood  
Development Association



David Harsila,  
President  
Alaska Independent Fishermen's  
Marketing Association